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FORM**

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Total Number of Pages in This Submission

Application Number	10/712,384
Filing Date	November 12, 2003
First Named Inventor	William John Gallagher
Art Unit	2122
Examiner Name	

5

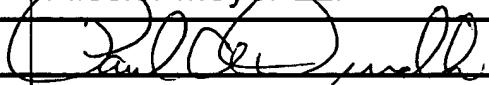
Attorney Docket Number

BEAS-01316US3

**ENCLOSURES (Check all that apply)**

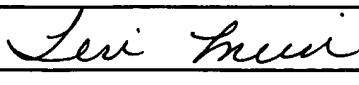
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): 3) Cited Documents Post card
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	
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<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Flester Meyer LLP		
Signature			
Printed name	Paul A. Durdik		
Date	APR 18, 2006	Reg. No.	67,819

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Teri Muir	Date	4-18-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### Application

Inventor(s): William John Gallagher  
Appl. No.: 10/712,384  
Confirm. No.: 9603  
Filed: November 13, 2003  
Title: DYNAMIC CODE GENERATION METHOD

### PATENT APPLICATION

Art Unit: 2122  
Examiner:

Customer No. 23910

### CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450**, on 4-18-06.

Teri Muir

(Signature)

Teri Muir

Signature Date: 4-18-06.

### INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

***Enclosed with this statement are the following:***

- Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- As allowed under 37 C.F.R. § 1.98(a)(2)(ii), no copies of the U.S. patents and U.S. patent application publications are enclosed, unless required by the office.
- As allowed under 37 CFR §1.98(d), copies of cited documents noted with an asterisk are not enclosed because they were previously submitted in U.S. Patent Application No       /      , which is relied on for an earlier effective filing date under 35 USC §120, and which included an Information Disclosure Statement that complies with 37 CFR §1.98(a) through (c).
- ***PTA Statement under 37 C.F.R. §1.704(d).*** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

Copy of International Search Report attached for review.

***This statement should be considered because:***

—  **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);  
— OR —
- (2) It is being filed within 3 months of entry of a national stage;  
— OR —
- (3) It is being filed before the mailing date of the first Office Action on the merits,  
— OR —
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

— **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.  
— AND (*check at least one of the following*) —
- (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).  
— OR —
- (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

— **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the Issue Fee;  
— AND —
- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);  
— AND —
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

— **37 C.F.R. §1.97(e)(1).** THE UNDERSIGNED ATTORNEY HEREBY STATES THAT each item of information contained in this *Information Disclosure Statement* was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this *Information Disclosure Statement*; or

— **37 C.F.R. §1.97(e)(2).** THE UNDERSIGNED ATTORNEY HEREBY STATES THAT no item of information contained in this *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this *Information Disclosure Statement* was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

**Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,  
FLIESLER MEYER LLP

By:

  
Paul A. Durdik  
Reg. No. 37,819

Date: APR 18, 2006

Customer No. 23910  
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Form PTO-1449 U.S. DEPARTMENT OF COMMERCE (Substitute) PATENT AND TRADEMARK OFFICE				Attorney Docket Number		Serial/Patent Number	
				BEAS-01316US3		10/712,384	
<i>Information Disclosure Statement BY APPLICANT (Use several sheets if necessary)</i>				Applicant/Patent Owner. <b>William John Gallagher</b>			
				Filing/Issue Date <b>November 12, 2003</b>		Group Art Unit <b>2122</b>	
<b>U.S. PATENTS</b>							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
		5,999,988	12/7/99	Pelegri-Llopert et al.			
		6,085,198	7/4/00	Skinner et al.			
		6,523,171	2/18/03	Dupuy et al.			
<b>U.S. PATENT PUBLICATIONS</b>							
Examiner Initial		Patent Application Publication Number		Publication Date	Applicant		
<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Trans- lation Yes   No
<b>OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)</b>							
		Ian Welch and Robert Stroud, "From Dalang to Kava- the Evolution of a Reflective Java Extension" 09/99, reflection '99, LNCS 116, pp. 2-21					
		Ian Welch and Robert Stroud, "Using MetaObject Protocols to Adapt Third-Party components" 03/1998, 1-22					
		Ian Welch and Robert Stroud, "A reflective Java Class Loader "ECOOP'98 Workshop reader, LNCS, pp. 374-375. 1998.					
<b>Examiner</b>				<b>Date Considered</b>			
<b>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</b>							
<b>*1 = Copy not submitted because it was submitted in prior application SN / _____, filed _____, 20_____, relied on under 35 USC §120.</b>							
<b>*2 = Copy not submitted because it was submitted in prior application SN / _____, filed _____, 20_____, relied on under 35 USC §120.</b>							